

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PABLO BERIQUETE, et al.

Plaintiffs,

-vs.-

DANIEL F. MARTUCELLO, III, et al.

Defendants.

ORDER TO PRODUCE

79-cv-5077 (LAP)

ECF

**TO: Mark Miller, Superintendent
Green Haven Correctional Facility
594 NY-216
Stormville, New York 12582**

WHEREAS the following prisoners are class members in the instant litigation and wish to address the Court via video conference during the Fairness Hearing scheduled for January 31, 2024 at 2:30pm:

Alty Adamson DIN #11A5221;
Edward Dawkins DIN # 17A1944;
Donald Glass DIN # 15A0494;
Milan Heggs DIN # 18A4126;
Melvin Herring DIN # 18A1772;
Anthony Horton DIN # 06A5568
Alonzo Jacobs DIN # 09A3974;
Paul Kairis DIN # 01B2421;
Lawrence Lewis DIN # 98A3556;
Teddy Lewis DIN # 04A2494;
Thomas Murphy DIN # 20A1538;
John Perez DIN # 99A1131;
David Rhodes DIN # 07A3657;
Felipe Rivera-Cruz DIN # 13A0542;
James Ross DIN # 04A6825;
Charles Russo DIN # 94A3294;
Luis Torres DIN # 13A0386;
Cyril Winebrenner DIN # 05B1092 (hereinafter “Class Members”); and

WHEREAS the Class Members are currently in custody at Green Haven Correctional Facility in Stormville, New York; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF GREEN HAVEN CORRECTIONAL FACILITY produce the Class Members on January 31, 2024, at 2:30pm until the testimony of each is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Co-Class Counsel Joshua Morrison shall be allowed to meet with any of the Class Members as necessary commencing at 1:00pm on January 31, 2024, and shall be allowed to be present in the video room when each Class Member testifies; and

IT IS FURTHER ORDERED that if any Class Member has a pre-scheduled medical appointment that he wishes to attend he can refuse attendance at the Fairness Hearing or refuse attendance at the medical appointment according to his wishes; and

IT IS FURTHER ORDERED that the Class Members must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow each Class Member to bring any legal papers he feels necessary; and each shall be allowed to testify without the presence of any DOCCS' personnel in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' staff.

Dated: January 24, 2024

So ordered: 
LORETTA A. PRESKA, U.S.D.J.